



OPEN SPACE ADVISORY BOARD

Wednesday, September 14, 2011, 1:30 P.M.

8th Floor Conference Room

City Hall Building, 2 Civic Center Plaza

REVISED AGENDA

1. Meeting Called to Order
2. Call to the Public (items not listed on the agenda)
3. Discussion and Action

- a. Approval of Minutes: August 31, 2011
- b. Changes to the Agenda
- c. Review and comment on current zoning applications, as indicated below:

(1) **PZCR11-00002:** Portion of Lot 2, Block 5, Mesa Hills Plaza, City of El Paso, El Paso County, Texas

LOCATION: 470 Eagle Drive

ZONING: C-4/sc (Commercial/special contract)

REQUEST: Release conditions imposed by Ordinance No. 009264 and Contract dated April 26, 1988

EXISTING USE: Sales/Warehouse

PROPOSED USE: Church

PROPERTY OWNER: The Foundation for the Los Robles Church

REPRESENTATIVE: Sonny Brown Associates

DISTRICT: 8

STAFF CONTACT: Esther Guerrero, (915) 541-4720,
guerreroex@elpasotexas.gov

- d. Review and comment on current subdivision applications, as indicated below:

(1) **SUSU11-00063:** Desert Pass Drive - Being a portion of Tract 3A, A.F. Miller Survey No. 210, City of El Paso, El Paso County, Texas

LOCATION: East of IH-10 and North of Resler Drive

PROPERTY OWNER: Camino Real Investments

REPRESENTATIVE: Conde Inc.

DISTRICT: 1

APPLICATION TYPE: Major Preliminary

STAFF CONTACT: Frank Delgado, 915-541-4238,
delgadofx@elpasotexas.gov

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

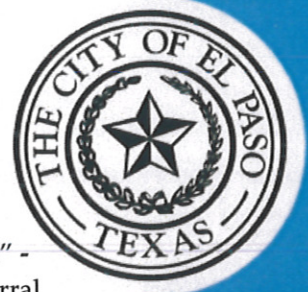
District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson



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S E R V I C E S O L U T I O N S S U C C E S S



(2) SUSU11-00080: Chaparral Park Unit Forty One Replat "A" -
Being a replat of Lot 21, Block 176, Chaparral
Park Unit Forty One, City of El Paso, El Paso
County, Texas
LOCATION: East of Via Descanso and North of Ojo De Agua
PROPERTY OWNER: Gordon L. Sather
REPRESENTATIVE: Conde Inc.
DISTRICT: 1
APPLICATION TYPE: Resubdivision Combination
STAFF CONTACT: Justin Bass, 915-541-4930, bassjd@elpasotexas.gov

Mayor
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City Council

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District 4
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District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson

4. **Discussion and Action:** Status of stormwater funding for Open Space acquisition and restoration.
Contact: Nicholas J. Costanzo, EPWU, njcostanzo@epwu.org
5. **Discussion and action** on recommendations to Council on how to preserve in its natural state property that was identified in the initiative petition located along Transmountain road.
Contact: Charlie Wakeem, charliewak@sbcglobal.net
6. **Discussion and action** on recommendations to Council on rezoning of property located in the original Northwest Master plan.
Contact: Charlie Wakeem, charliewak@sbcglobal.net
7. **Discussion and Action:** Report on the design and construction plans of a PSB pipeline crossing FEMA Flowpath 41A.
Contact: Rudy Valdez, rvaldez@EPWU.org
8. **Discussion and Action:** Status update on the Mitigation Bank Subcommittee.
Contact: Kareem Dallo, (915) 541-4425, DalloKF@elpasotexas.gov
9. **Discussion and action** on revisions to Chapter 18.46 (Landscape) of the El Paso City Code.
Contact: Fred Lopez, (915) 541-4322, LopezAR@elpasotexas.gov
10. **Discussion and Action:** Status update on a recommendation by the Open Space Advisory Board that the City initiate rezoning of Keystone and Rio Bosque to a Natural Open Space (NOS) District, that both Keystone and Rio Bosque be designated as a Wildlife Sanctuary under the Natural Open Space (NOS) District, and that staff make any other necessary efforts to coordinate with other property owners within the Keystone and Rio Bosque areas to rezone their property to Natural Open Space (NOS) and if appropriate, to designate it as a Wildlife Sanctuary.
Contact: Melissa Granado, (915) 541-4730, granadom@elpasotexas.gov



Planning & Economic Development

2 Civic Center Plaza • El Paso, Texas 79901 • (915) 541-4670

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11. Discussion by legal counsel concerning Texas Open Meetings Act.
Contact: Lupe Cuellar, (915) 541-4702, cuellarlm@elpasotexas.gov
12. Discussion and Action: Items for Future Agendas
13. Adjournment

EXECUTIVE SESSION

The Open Space Advisory Board of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the items on this agenda, consistent with the terms of the Open Meetings Act. The Open Space Advisory Board will return to open session to take any final action.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Posted this 8th day of September, 2011 at 5:00
Basement Bulletin Board, City Hall, 2 Civic Center Plaza, by Armida Martinez, Planning and Economic Development

Mayor
John F. Cook

City Council

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Susie Byrd

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City Manager
Joyce A. Wilson





ADVISORY BOARD MINUTES

Wednesday, August 31, 2011, 1:30 P.M.

8th Floor Conference Room

City Hall Building, 2 Civic Center Plaza

Members Present: 8

Joanne Burt, James H. Tolbert, Richard L. Thomas, Lois A. Balin, Andres Quintana, Bill Addington (2:03 p.m.), Kevin von Finger, and Charlie S. Wakeem

Members Absent: 1

Katrina M. Martich

Vacancies: 0

Planning and Economic Development Staff:

Matthew McElroy, Deputy Director; Philip Etiwe, Development Review Manager; Fred Lopez, Comprehensive Plan Manager; David Coronado, Lead Planner; Linda Castle, Senior Planner; Melissa Granado, Senior Planner; Todd Taylor, Planner

Others Present:

Lupe Cuellar, Assistant City Attorney, City Attorney's Office; Marcia Tuck, Parks & Recreation, Open Space Trails and Parks Coordinator; Kareem Dallo, Engineering Division Manager, Engineering & Construction Management; Nicholas J. Costanzo, Assistant General Manager, EPWU-PSB; Rudy Valdez, EPWU-PSB; Gonzalo Cedillos, EPWU-PSB; Trish Tanner, Jobe; Risher Gilbert, The Gilbert Law Firm; Tony Uribe, Texas Department of Transportation; Ray Dovalina, Deputy District Engineer, El Paso District, Texas Department of Transportation; Dr. Richard Bonart, Public Service Board Member; Judy Ackerman, Franklin Mountains Wilderness Coalition; Jane Fowler, Franklin Mountain Wilderness Coalition; Raul F. Amaya, Franklin Mountains Wilderness Coalition; Pat White, Franklin Mountains Wilderness Coalition

1. Meeting Called to Order

Chair Wakeem called the meeting to order at 1:31 pm.

NOTE: At this time, Chair Wakeem welcomed newly appointed Open Space Board Member, Andre Quintana, appointed by Representative Noe, District 5.

2. Call to the Public (items not listed on the agenda)

None.

3. Discussion and Action

a. Approval of Minutes: August 17, 2011

PAGE 1 OF 4, UPDATE

Chair Wakeem revised the sentence to read:

~~Chair Wakeem explained that the City Council, approved the U.S. Army Corps of Engineers resolution regarding Castner Range after deleting the SPF, PMF language.~~

Chair Wakeem explained that the OSAB recommendation of a resolution to the City Council, regarding Castner Range, was approved after deleting the SPF, PMF language.

MOTION:

Motion made by Mr. von Finger, seconded by Ms. Burt and UNANIMOUSLY CARRIED TO APPROVE THE MINUTES FOR AUGUST 17, 2011, AS CORRECTED.

ABSTAIN: Richard L. Thomas, Andres Quintana

NOT PRESENT: Bill Addington

b. Changes to the Agenda

Mr. Coronado requested the following changes:

1. Postpone two (2) weeks - item 3. c. (1) for two weeks;
2. Postpone two (2) weeks - item 6.; and
3. Move to the forefront of the agenda- item 8

ITEM 5

Mr. Tolbert suggested Board Members delete item 5. from the agenda and that the petitioners, who took the time to sign the petition, be included in the discussion(s).

Ms. Cuellar explained City Council would like the OSAB to consider alternatives to the petition.

POINT OF INFORMATION

Mr. von Finger asked if Staff would be presenting possible alternatives to the Board.

Ms. Cuellar responded yes and explained although the agenda item is posted for "Discussion and Action" the intent is not for the Board to take final action.

MOTION:

Motion made by Mr. Thomas, seconded by Ms. Balin and UNANIMOUSLY CARRIED TO ACCEPT THE CHANGES TO THE AGENDA AS RECOMMENDED BY STAFF.

Review and comment on current subdivision applications, as indicated below:

- (1) SUSU11-00063: Desert Pass Drive – Being a portion of Tract 3A, A.F. Miller Survey No. 210, City of El Paso, El Paso County, Texas
- LOCATION: East of IH-10 and North of Resler Drive
- PROPERTY OWNER: Camino Real Investments
- REPRESENTATIVE: Conde, Inc.
- DISTRICT: 1
- APPLICATION TYPE: Major Preliminary
- STAFF CONTACT: Frank Delgado, (915) 541-4238, delgadofx@elpasotexas.gov

Postpone two (2) weeks as recommended by Staff.

MOTION:

Motion made by Mr. Thomas, seconded by Ms. Balin and UNANIMOUSLY CARRIED TO ACCEPT THE CHANGES TO THE AGENDA AS RECOMMENDED BY STAFF.

4. **Discussion and Action:** Update on changes made to the Transmountain Road Project as a result from the Environmental Assessment.

Contact: Efrain Esparza, Texas Department of Transportation, (915) 790-4313, efrain.esparza@txdot.gov

Mr. Ray Dovalina gave a PowerPoint presentation. Mr. Dovalina highlighted changes to the Transmountain Road Project due to public comment and working in conjunction with the Texas Parks & Wildlife Department.

Chair Wakeem called for a brief recess; shortly thereafter, the meeting resumed.

PUBLIC COMMENT

1. Judy Ackerman, Franklin Mountains Wilderness Coalition
2. Raul Amaya, Franklin Mountains Wilderness Coalition

Mr. Dovalina and Mr. Uribe responded to questions from Board Members and members of the public.

NO ACTION WAS TAKEN.

5. **Discussion and Action** on Initiative Petition certified by City Clerk on August 16, 2011 concerning the preservation of land abutting Transmountain Road.
Contact: Nicholas J. Costanzo, EPWU, njcostanzo@epwu.org

Chair Wakeem gave a PowerPoint presentation providing background information regarding the item.

Mr. Costanzo gave a PowerPoint presentation regarding an option proposed for the property. He stated that while the petition is moving forward and the Northeast Master Plan is being updated, Mr. Ed Archuleta, President/Chief Executive Officer, El Paso Water Utilities Public Service Board, is open and willing to meet with the OSAB to discuss options.

FOR THE RECORD

Chair Wakeem stated, for the record, that when he brought this compromise to the OSAB eight or nine months ago, his proposal was different than that being proposed by PSB by preserving the arroyo, FEMA 39, and the identified 22 acres. Otherwise everything looks like it's the same.

Chair Wakeem stated he has been in discussion with Mr. Archuleta, Nick Constanzo, Rudy Valdez, and Jim Shelton during the past week and a half but is leaving the decision to the Board since it has made a decision twice to recommend preserving the full amount.

Mr. McElroy stated that staff is making a recommendation to consider the option proposed by the PSB. An updated Northwest Master Plan, that would be Smart Code compliant, could be vetted by the OSAB and would preserve high quality open space for the entire Master Plan area in a sustainable way, not just the area indicated on the map presented by PSB. as opposed to the arbitrary lines of the petition. Ms. Cuellar stated that City Council is aware that the legal description includes land conveyed to the Texas Department of Transportation and therefore the petition language does require amending.

Chair Wakeem requested Staff insert the corrected legal description in the ordinance language prior to the public hearing. He stated that he does not represent the petitioners, the discussions he has had during the past week were fact finding, and that this is not his decision and it is really up to the petitioners to do the negotiating.

PUBLIC COMMENT

1. Dr. Bonart, citizen, asked that the OSAB draw this to a conclusion; he has been dealing with this since 2002.

Mr. Costanzo explained the gross acreage of open space in the Master Plan and in the

proposal.

Mr. Valdez referred to the hilly areas and stated any development that would occur behind hill areas would not be visible from Transmountain.

2. Ms. Ackerman, Franklin Mountains Wilderness Coalition, commented on PSB revenues received from residential development and stated the petition language does not note the number of acres but refers to the subject lands through legal descriptions.

Chair Wakeem proposed Board Members recommend that open space be protected in perpetuity with a conservation easement.

Mr. McElroy commented on keeping petitioners informed in the progress of design, Smart Code rezoning, etc. He added the City Manager and several members of City Council have asked the OSAB to participate in a process to redo the Master Plan. They are relying on the OSAB to be willing participants in an effort to come up with a good compromise.

Chair Wakeem felt the Board should defer a decision on a recommendation to Council; except that, what open space is set aside is protected by a conservation easement.

3. Ms. Fowler, Franklin Mountains Wilderness Coalition, asked if Ms. Cuellar felt City Council would be reluctant should the petition be presented to the voters.

Ms. Cuellar could not speak for City Council.

1ST MOTION:

Motion made by Ms. Burt, seconded by Mr. Thomas TO RECOMMEND THAT THE OPEN SPACE ADVISORY BOARD WORK TOWARDS A COMPROMISE WITH PETITIONERS, THE CITY AND THE PSB.

NO ACTION WAS TAKEN AT THIS POINT, CONVERSATION ON THE SUBJECT CONTINUED

Mr. Costanzo noted one of the opportunities the Board has is to plan the access to Tom Mays Park, off Transmountain, in a more secure, safe, manner.

Mr. Quintana asked what the 22 acres was for.

Mr. Costanzo responded that has not been determined.

Mr. McElroy explained as part of the Smart Code application and Master Plan, a Thoroughfare Plan must be submitted and could be designed in such a way so that the road network has a landscaping plan and that the alignments are sensitive to the topography.

4. Mr. Amaya, Franklin Mountains Wilderness Coalition, thanked Board Members for

voting to set aside the land as open space and respecting the petitioner's intent. He added Board Members should stick to their guns.

5. Dr. Bonart commented on TxDOT's proposed plan.

Mr. Valdez explained TxDOT has not made a decision regarding the entrance road into Tom Mays Park.

Ms. Burt did not think the OSAB was being expected to speak for the petitioners but is suggesting that Board Members work with everyone to show that we are interested in a compromise.

Mr. von Finger asked to amend the motion to allow Board Members to look at removing the Paseo Del Norte arterial.

Ms. Burt felt the motion should be general enough to allow all discussion rather than adding specifics to it.

Ms. Cuellar explained any compromise will include the type of development, roads, open space; whatever was included in the land identified by the petitioners.

Mr. Tolbert would support the motion as long as everyone; citizens, petitioners are included in the discussions. He asked if the word "compromise" could be dropped and replaced with "discussion".

Ms. Burt and Mr. Thomas accepted the friendly amendment.

Mr. Addington stated he was not interested in anymore compromise; the Board already voted on the matter twice, including the provision that Paseo Del Norte be deleted.

MOTION TO CALL THE QUESTION AND CEASE DISCUSSION MADE BY MS. BURT AND CARRIED BY A VOTE OF 6 TO 1.

Nay: Bill Addington

1st MOTION RESTATED:

Motion made by Ms. Burt, seconded by Mr. Thomas and UNANIMOUSLY CARRIED THAT THE OPEN SPACE ADVISORY BOARD PARTICIPATE IN CONTINUED DISCUSSION REGARDING THE RESOLUTION OF THE PETITION.

6. **Discussion and Action:** Status on stormwater funding for Open Space acquisition and restoration. Contact: Nicholas J. Costanzo, EPWU, njcostanzo@epwu.org

Postpone two (2) weeks as recommended by Staff.

MOTION:

Motion made by Mr. Thomas, seconded by Ms. Balin and UNANIMOUSLY CARRIED TO ACCEPT THE CHANGES TO THE AGENDA AS RECOMMENDED BY STAFF.

7. **Discussion and Action:** Status report by the Parks and Recreation Department regarding the designated state trailheads approved by City Council on June 21, 2011.

Contact: Marcia Tuck, (915) 541-4020, tuckmj@elpasotexas.gov

Chair Wakeem welcomed Ms. Tuck, newly appointed Parks & Recreation Department, Open Space, Trails and Parks Coordinator, to her first Open Space Advisory Board meeting.

Ms. Tuck gave a presentation regarding the designated state trailheads approved by City Council on June 21, 2011.

Ms. Tuck explained she now coordinates with Ms. Dierdre Hisler, Texas Parks & Wildlife Regional Director, Midland, Texas.

POINT OF INFORMATION

Ms. Balin clarified that Ms. Hisler is in Fort Davis, Texas.

Mr. Addington clarified that it is the Border Mountain Bike~~rs~~ Association to Border Mountain Bike Association.

Mr. Valdez provided additional information regarding the trailheads and responded to questions from the Board.

Ms. Ackerman, Franklin Mountains Wilderness Coalition, asked if she could be notified of any meetings regarding trailheads.

Mr. Valdez will notify Ms. Ackerman, via email, regarding the trailhead meetings.

Regarding the Ojo de Agua Park Trailhead, Ms. Cuellar requested Planning Staff review the plat in regards to the locked gate on Mr. Schwartz' property.

Mr. Coronado stated he will ask Mr. Eddie Garcia to provide that information.

Ms. Burt requested Chuck Heinrich Park trailhead be relabeled to Stoney Hill in the presentation as it was incorrect.

Chair Wakeem explained Stony Hill was on the trailhead list; however, not on the high priority list.

Chair Wakeem explained that Mr. Don Baumgard gave him a brochure of the trails that the hikers/bikers have compiled and will bring a brochure to Ms. Tuck.

8. **Discussion and Action:** Status update on a recommendation by the Open Space Advisory Board that the City initiate rezoning of Keystone and Rio Bosque to a Natural Open Space (NOS) District, that both Keystone and Rio Bosque be designated as a Wildlife Sanctuary under the Natural Open Space (NOS) District, and that staff make any other necessary efforts to coordinate with other property owners within the Keystone and Rio Bosque areas to rezone their property to Natural Open Space (NOS) and if appropriate, to designate it as a Wildlife Sanctuary. Contact: Melissa Granado, (915) 541-4730, granadom@elpasotexas.gov

Move to the forefront of the agenda as recommended by Staff.

1st MOTION:

Motion made by Mr. Thomas, seconded by Ms. Balin and UNANIMOUSLY CARRIED TO ACCEPT THE CHANGES TO THE AGENDA AS RECOMMENDED BY STAFF.

Ms. Granado gave a presentation regarding the rezoning of Keystone Heritage Park to Natural Open Space (NOS) District. Ms. Granado noted Staff did receive comments from the Parks & Recreation Department and the Engineering & Construction Management – Capital Assets Division.

Ms. Risher Gilbert, the attorney representing the city regarding the continuous property that the city is considering purchasing. Ms. Gilbert noted negotiation discussions with property owners have begun and would like the OSAB to consider postponing the NOS rezoning. She was hopeful that, should the city acquire the proposed property, there may be additional area that the Board would like to consider including in its recommendation.

Staff and Board Members discussed the following:

1. Designating the city owned portion NOS today, any additional property could be added at a later date;
2. Development and construction north of Keystone Heritage Park;
3. Allowing Staff 90 days to negotiate the acquisition of the proposed property that the city wants to acquire;
4. Setbacks, barriers, walls and borders separating Keystone Heritage Park from other properties;
5. Current development construction and possible affects on the Keystone Heritage Park buffer and 8' wall;
6. Current development construction vesting rights, plat, Site Development Plan, and application for water service;
7. Designating the upper portion of the Keystone Heritage Park NOS today; and
8. Designating the lower portion of the Keystone Heritage Park at a later date

Mr. von Finger proposed that the OSAB make it known to Staff that the OSAB proceed with rezoning the northern half to NOS and postpone the rezoning of the southern half to NOS for 90 days.

1st MOTION:

Motion made by Mr. von Finger, seconded by Ms. Burt that the OSAB proceed with rezoning the northern half to NOS and postpone rezoning the southern half to NOS for 90 days.

NO ACTION WAS TAKEN AT THIS POINT, CONVERSATION ON THE SUBJECT CONTINUED

Mr. McElroy recommended the OSAB wait 90 days before taking any action rezoning Keystone Heritage Park to NOS.

2nd MOTION:

Motion made by Mr. Thomas to postpone rezoning Keystone Heritage Park to NOS for 90 days. There was no second. The motion died for lack of a second.

Mr. von Finger did not rescind his motion.

Ms. Tuck requested Staff work together to ensure that what is allowed in the existing lease agreements will be allowed in the NOS and/or Wildlife Sanctuary designation.

Mr. von Finger withdrew his previous motion, Ms. Burt withdrew her second.

3rd AND FINAL MOTION:

Motion made by Mr. von Finger, seconded by Mr. Thomas AND UNANIMOUSLY CARRIED TO POSTPONE TWO WEEKS TO ALLOW STAFF TO GATHER INFORMATION, PROVIDE INFORMATION TO LEGAL ON THE LEASE AGREEMENTS TO ENSURE THERE ARE NO CONFLICTS AND COME BACK WITH ANOTHER BRIEFING AND DISCUSSION.

9. Discussion and Action: Items for Future Agendas

Mr. Tolbert requested:

08/10/11 PSB meeting approved the installation of a 24' transmission main going across 41A, he would like to get an update from PSB if the pipeline will be ecologically sensitive installed with re-vegetation.

Chair Wakeem requested:

1. Item 8 be placed on the next OSAB meeting agenda
2. Update on mitigation banking, Kareem Dallo and Alan Shubert

Mr. Coronado will add:

Information regarding the locked gate at the Ojo de Agua trailhead

10. Adjournment

MOTION:

*Motion made by Mr. Thomas, seconded by Ms. Burt AND UNANIMOUSLY CARRIED TO
ADJOURN THE OSAB MEETING.*

Minutes prepared by Donna Martinez



City of El Paso – City Plan Commission Staff Report

Case No: PZCR11-00002
Application Type: Zoning Condition Release
OSAB Hearing Date: September 14, 2011
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 470 Eagle Drive
Legal Description: Portion of Lot 2, Block 5, Mesa Hills Plaza, City of El Paso, El Paso County, Texas
Acreage: 0.6820 acres
Rep District: 8
Zoning: C-4/sc (Commercial/special contract)
Existing Use: Sales/Warehouse
Request: Release all conditions imposed by Ordinance No. 009264 and Contract dated April 26, 1988
Proposed Use: Church
Property Owner: The Foundation for the Los Robles Church
Representative: Sonny Brown Associates

SURROUNDING ZONING AND LAND USE

North: C-1/sc (Commercial/special contract)
South: C-4/sc (Commercial/special contract)
East: C-4/sc (Commercial/special contract)
West: C-4/sc (Commercial/special contract)

THE PLAN FOR EL PASO DESIGNATION: Residential (Northwest Planning Area)

Nearest Park: Galatzan Park (768 feet)

Nearest School: L.B. Johnson Elementary (2,209 feet)

NEIGHBORHOOD ASSOCIATIONS

North Hills Neighborhood Pride Association

NEIGHBORHOOD INPUT

Notices of the September 22, 2011 public hearing were mailed to all property owners within 300 feet of the subject property on September 6, 2011.

APPLICATION DESCRIPTION

The applicant is requesting to release the special contract conditions imposed by Ordinance No. 009264 and contract dated April 26, 1988, (See attachment 4). The conditions imposed on the property are as follows:

1. *The property shall be used only as a sales office and warehouse engaged in the storage, retailing and wholesaling of products and services.*
2. *Wallenburg Drive must be improved to City standards, from where it abuts Lot 1, Block 5, Punto Alegre Subdivision to the west boundary of Fiesta Hills Unit 5, by August 1, 1988.*
3. *The property owners must remove the existing pavement on the vacated portion of Mardi Gras Drive (a/k/a Wallenburg Drive) by August 1, 1988.*

The applicant is proposing to occupy the existing building for a church and per condition no. 1, a church is not currently permitted, conditions no. 2 and 3 have expired and no longer apply. The above conditions were placed on a large parcel of land when rezoned.

PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the release of all three conditions.

Note to the applicant: a certificate of occupancy must be obtained through the Engineering and Construction Management Permitting Division when a change of use occurs. A site plan is required in order to determine appropriate number of parking spaces and landscape requirements.

The Plan for El Paso-City-Wide Land Use Goals

All applications for zoning condition release shall demonstrate compliance with the following criteria:

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
- b. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

The purpose of the C-4 (Commercial) district is to provide for locations for the most intensive commercial uses intended to serve the entire City. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for zoning condition release and offered no objections to Planning Staff's recommendation for approval.

Department of Transportation

Transportation has no objection to the proposed condition release. Transportation has the following notes and recommendations (to be addressed during permitting) for the submitted site plan:

1. Wheel stops shall be provided for parking spaces adjacent to City right-of-way.
2. Parking spaces 13 appears to have a conflict with the driveway as shown. Transportation recommends relocation of the proposed parking space to alleviate this conflict.
3. The angled parking spaces (13-25) do not meet the minimum stall depth requirements for 45 degree angle parking spaces (a minimum depth of 19'1" is required).
4. Three bicycle spaces are required.
5. Transportation recommends that wheel stops be provided for parking spaces adjacent to the building and pedestrian pathways within the property.
6. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in accordance with the current City of El Paso Design Standards for Construction and be ADA/TAS compliant.

Engineering – Construction Management Division-Plan Review

Plan Review

Building must meet conditions for changes of use from storage to A-3 assemble.

Land Development

No objections.

Fire Department

No comments received.

El Paso Water Utilities

1. EPWU does not object to this request

EPWU-PSB Comments

Water:

2. There is an existing 8-inch diameter water main extending along Eagle Drive that is available for service, the water main is located approximately 17-feet south from the northern right-of-way property line.

3. EPWU records indicate a 1-inch water meter serving the subject property. The service address for this meter is 470 Eagle Drive.

4. Previous water pressure reading from fire hydrant # 6959 located at the northwest intersection of Eagle Drive and Hurd Place, have yielded a static pressure of 110 (psi) pounds per square inch, a residual pressure of 100 (psi) pounds per square inch and a discharge of 919 (gpm) gallons per minute

5. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

6. There is an existing 8-inch diameter sanitary sewer main extending along Eagle Drive that is available for service, the sewer main is located approximately 10-ft south from the center right-of-way line.

General:

7. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU-PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the zoning condition release:

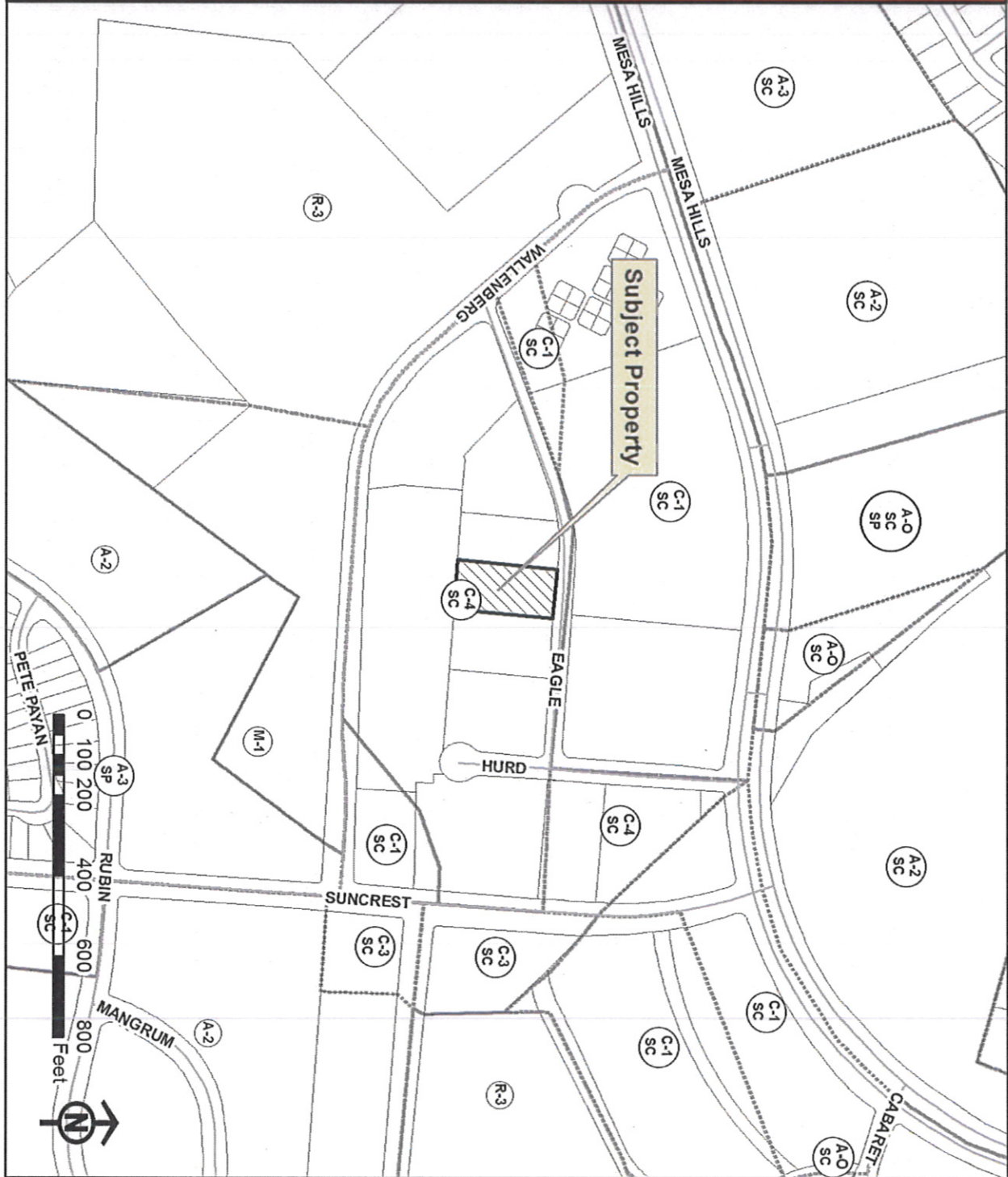
1. Recommend approval of the application finding that the zoning condition release is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the zoning condition release into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the zoning condition release does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Zoning Map
2. Aerial Map
3. Site Plan
4. Ordinance No. 009264, Special Contract

ATTACHMENT 1: ZONING MAP

PZCR11-00002

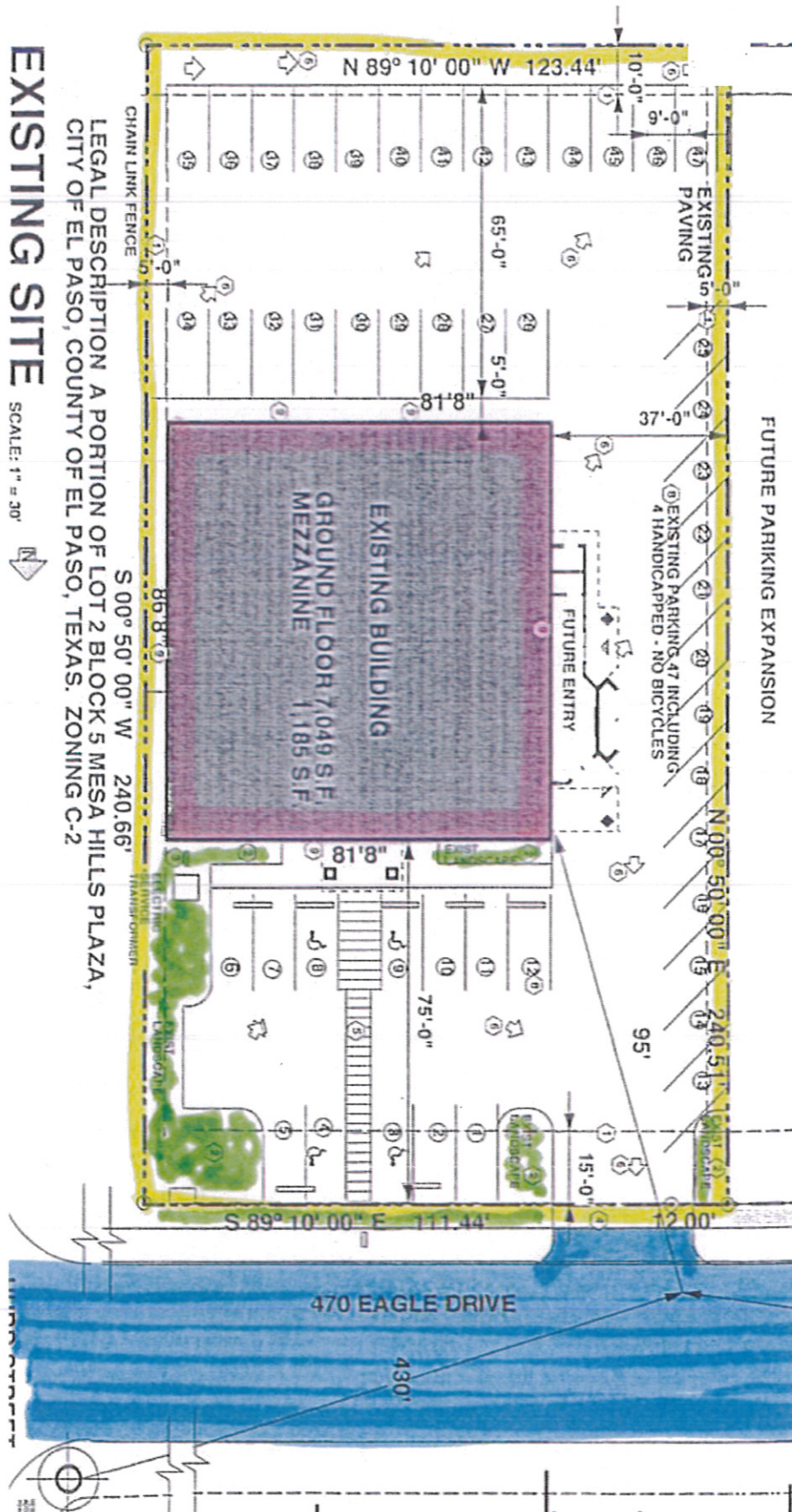


ATTACHMENT 2: AERIAL MAP

PZCR11-00002



ATTACHMENT 3: SITE PLAN



ATTACHMENT 4: ORDINANCE 009264, SPECIAL CONTRACT

009264

AN ORDINANCE CHANGING THE ZONING OF
A PORTION OF LOTS 1 AND 2, BLOCK 2, PUNTO
ALEGRE SUBDIVISION,
THE PENALTY BEING AS PROVIDED IN
SECTION 20.68.010 OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of a portion of Lots 1 and 2, Block 2, Punto Alegre Subdivision, as more particularly described by metes and bounds in the attached Exhibit "A", be changed from C-1 (Commercial) and A-O (Apartment/Office) to C-4 (Commercial) within the meaning of the zoning ordinance, subject to a special contract placing certain restrictions, conditions and covenants on the property, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 10th day of January,
1988.

James W. Rogers
Mayor

ATTEST:

Carole Hunter
City Clerk

APPROVED AS TO FORM:

C. C. C. C.
Assistant City Attorney

Contract 4-26-88

ZNG5:5333.87

009264

APPROVED AS TO CONTENT:

Ray M. Wilson
Department of Planning,
Research and Development

RECEIVED
MAY 17 1988

PLA:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between THE CITY OF EL PASO, GUNNISON INVESTMENT COMPANY, INC., MBANK OF EL PASO, and AMERICAN BANK OF COMMERCE, placing certain restrictions, conditions and covenants on the property being rezoned by Ordinance No. 009264, more particularly described as a portion of Lots 1 and 2, Block 2, Punto Alegre Subdivision.

ADOPTED this 14th day of January, 1988.

[Signature]
Mayor

ATTEST:

Carole Hunter
City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

ZNG5:5333.87

RECEIVED

MAY 17 1988

PLA

THE STATE OF TEXAS)
COUNTY OF EL PASO)

CONTRACT

THIS CONTRACT made this 26th day of April, 1988, by and between GUNNISON INVESTMENT COMPANY, INC., First Party, MBANK OF EL PASO and AMERICAN BANK OF COMMERCE, Second Parties, and the CITY OF EL PASO, Third Party, witnesseth:

Application has been made to the City of El Paso for the rezoning of a portion of Lots 1 and 2, Block 2, Punto Alegre Subdivision, City and County of El Paso, Texas, which is more particularly described by metes and bounds in the attached Exhibit "A" which is made a part hereof by reference. To remove certain objections to such rezoning, First Party covenants that if the property is rezoned from C-1 (Commercial) and A-O (Apartment/Office) to C-4 (Commercial) within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

1. The property shall be used only as a sales office and warehouse engaged in the storage, retailing and wholesaling of products and services.
2. Wallenburg Drive must be improved to City standards, from where it abuts Lot 1, Block 5, Punto Alegre Subdivision to the west boundary of Fiesta Hills Unit 5, by August 1, 1988.
3. The property owners must remove the existing pavement on the vacated portion of Mardi Gras Drive (a/k/a Wallenburg Drive) by August 1, 1988.

This agreement is a restriction, condition and covenant

running with the land and a charge and servitude thereon, and shall bind First Party and its successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity or necessitating the amendment of the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

Second Parties are the owners and holders of recorded liens on the property and consent to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

FIRST PARTY:
GUNNISON INVESTMENT COMPANY, INC.

By 

Title President

ATTEST:


Secretary

SIGNATURES CONTINUED ON NEXT PAGE



City of El Paso – City Plan Commission Staff Report

Case No:	SUSU11-00063 Desert Pass Drive
Application Type:	Major Preliminary
CPC Hearing Date:	September 22, 2011
Staff Planner:	Frank Delgado, (915) 541-4238, delgadofx@elpasotexas.gov
Location:	East of IH-10 and North of Resler Drive
Legal Description Acreage:	77.405 acres
Rep District:	1
Existing Use:	Vacant
Existing Zoning:	C-3c (Commercial) and C-4c (Commercial)
Proposed Zoning:	C-3c (Commercial) and C-4c (Commercial)
Nearest Park:	Wakeem-Teschner Nature Preserve (1.17 miles)
Nearest School:	Coronado High School (1.08 miles)
Park Fees:	\$33,080
Impact Fee:	The property is not located in an impact-fee area.
Property Owner:	Camino Real Investments I, LTD
Applicant:	Camino Real Investments I, LTD
Representative:	Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: C-3sc (Commercial)/ Residential development
South: R-4 (Residential)/ Interstate Highway and Pond
East: R-3 (Residential)/ Nature Preserve
West: C-3sc (Commercial)/ Commercial development

THE PLAN FOR EL PASO DESIGNATION: Commercial, Mixed Use and

APPLICATION DESCRIPTION

The applicant is proposing multi-family residential, commercial, office, private parks and open space development on this 77,041-acre parcel and is proposing eight (8) lots. The smallest lot is 7.469 acres. The largest lot is 28.405 acres.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

PENDING

DEVELOPMENT COORDINATING COMMITTEE COMMENTS

PENDING

PLANNING & ECONOMIC DEVELOPMENT RECOMMENDATION

DENIAL based on lack of compliance with:

19.18.010.B.1 Traffic Impact Analysis-Purpose and Applicability-Applicability

A traffic impact analysis (TIA), in adherence to standards contained within this title and City of El Paso approved guidelines, shall be required by the city manager, or designee for the following unless the city manager or designee determines that a TIA is not needed due to studies already completed or improvements already constructed.

Section 19.18.040.A.1 - City evaluation and action-Criteria

The city manager or designee shall evaluate the adequacy of the TIA prepared by the applicant.

19.20.030.A.1.b - Parkland calculation-Rate-Multifamily.

A. Rate.

1. Where a residential subdivision application is filed, the amount of parkland required to be deeded to the city shall be as follows:

b. Multifamily. One acre of parkland for every two hundred dwelling units calculated as follows:

$$x = \frac{y}{z} \times 200$$

Where:

"x" is the amount of acres of parkland required to be dedicated;

"y" is the gross acres of the proposed multifamily subdivision; and

"z" is the density of the proposed multifamily subdivision.

OPEN SPACE ADVISORY BOARD RECOMMENDATION

PENDING

LAND DEVELOPMENT—ENGINEERING & CONSTRUCTION MANAGEMENT COMMENTS AND REQUIREMENTS

No Objections

PARKS & RECREATION DEPARTMENT COMMENTS

1. The 7.469 acres of "Open Space To Remain" was evaluated based on a site visit and Open Space credits will not be given
2. No credit will be given for Private Parks.
3. Please note that this subdivision is zoned "C-3/sc & C-4/sc" thus meeting the requirements for Multi-family dwellings use with a minimum lot area of 750 sq. ft. per dwelling (C-4/sc) or restricted to a maximum of 29 dwelling units per acre (C-3/sc), therefore, park fees will be assessed based on the following:
 - If gross density waiver is granted by the Planning Department or designee and covenants are provided restricting all residential uses for the 5 commercial lots containing a total of **28.918** acres then applicant shall be required to pay "park fees" in the amount of **\$28,918.00**

Fees calculated as follows:

Subdivision acreage 28.918 @ \$1,000.00 per acre = **\$28,918.00**

- Per discussions with the subdivider if approximately 400 apartment units will be built on the 33.508 acre lot, then applicant shall be required to pay park fees in the amount of **\$272,000** based on this density rate:

Fees calculated as follows:

400 dwellings @ a rate of \$680 per dwelling units = \$272,000.00

- **Estimated Total Fees = \$28,918 + \$272,000 = \$300,918**

Fees will be re-calculated based on the actual number of dwelling units that are built.

Please allocate any funds under Park Zone: **NW-5**

If density/acres is increased/decreased or the property zoning/use changes, then fees will be re-assessed based on applicable conditions.

STORMWATER DIVISION—EL PASO WATER UTILITIES COMMENTS

We have reviewed the subdivision described above and provide the following comments:

Desert Pass Drive Subdivision – Major Preliminary

1. The plat states the subject property is located in Flood Hazard Zones C and A1. Coordinate with FEMA and the City of El Paso to meet all applicable flood hazard zone requirements.
2. The drainage plan indicates runoff from several watersheds will discharge to structures on I-10. Coordinate with TxDOT for discharge to the existing structures on I-10.
3. Show existing and proposed drainage flow patterns along the extension of Gem Street. Identify the discharge location for the Gem Street stormwater runoff.
4. At the improvement plan stage ensure that all channel and storm drain pipe outlets include appropriate erosion and scour control measures. Also, ensure that the earthen channel flow velocities do not exceed the permissible velocity recommended in the City of El Paso Drainage Design Manual.
5. Provide the appropriate drainage right-of-ways and/or easements for all stormwater infrastructure, including the channel and proposed storm drain system conveying runoff from the existing detention basin.
6. Size all stormwater drainage structures to account for sediment volume. In addition, design all drainage structures to allow access for EPWU maintenance staff and equipment. Undersized culverts and culvert crossings in Northwest El Paso tend to clog easily and increase EPWU maintenance costs.
7. Ensure that all drainage easements are wide enough to accommodate future EPWU storm drain maintenance. EPWU recommends a minimum easement width of 20 feet. Very deep pipes complicate future maintenance activities and may require easements wider than 20 feet.
8. Incorporate principles of low impact development and green infrastructure design (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff. Provide additional stormwater retention at all landscaped and open space areas.

EL PASO WATER UTILITIES COMMENTS

We have reviewed the subdivision referenced above and provide the following comments:

1. EPWU-PSB requires for the existing 30-foot wide PSB easement to be depicted as per the recorded document (2006000161).

EPWU-PSB Comments

Water:

2. A water main extension will be required along the entire length of Desert Pass Drive. The water main system is required to be looped from Gem Street to San Blas Street and Western Skies. EPWU anticipates a water main extension along the EPNG right-of-way. Permits from EPNG will be required for the proposed water main extension along EPNG right-of-way
3. The subdivision is anticipated to be located within an intermediate pressure zone. Pressure reducing and pressure relief valves will be required within the water distribution system. In addition, private water pressure regulating devices will be required at the discharge side of each water meter. The Owner/Developer shall include in the sale of contract documents that the lot buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters.

Sewer:

4. There is an existing 12/15-inch diameter sanitary sewer main located within the existing 30-foot wide PSB Easement that extends along a portion of the proposed Desert Pass Drive.
5. EPWU anticipates a sanitary sewer main extension along Desert Point Lane from Desert Pass Drive to the existing sewer main located parallel to IH-10.

General:

6. During the site improvement work, the Owner/Developer shall safeguard the existing sanitary sewer and appurtenant structures. The Owner/Developer shall minimize changes in grade above or near the vicinity of the existing PSB facilities and is responsible for the cost of setting appurtenant structures to final grade.
7. All easements dedicated for public sanitary sewer facilities shall comply with the EPWU-PSB Easement Policy. The PSB easements shall be improved to allow the operation of EPWU maintenance vehicles. EPWU-PSB requires access to the proposed sanitary sewer facilities within the easement 24 hours a day, seven (7) days a week.
8. EPWU requires a new service application to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

FIRE DEPARTMENT COMMENTS

No comments received.

SUN METRO COMMENTS

Sun Metro recommends the construction of sidewalks to City standards throughout development to provide pedestrian connectivity to mass transit and existing sidewalk and provide access and connectivity to the existing Westside Transit Terminal located at 7535 Remcon Circle.

DEPARTMENT OF TRANSPORTATION COMMENTS

The Department of Transportation recommends **denial** of the proposed plat for the following reason:

- A Traffic Impact Analysis is required for the Desert Pass subdivision in accordance with Section 19.18. (Traffic Impact Analysis) of the El Paso Municipal Code. The TIA submitted with the subdivision shall comply with Section 19.15.010.C (Road Network).
- Gem Street is designated as a Collector on the Major Thoroughfare Plan (MTP) and shall comply with Section 19.15.060B (Arrangement of Streets and Conformance to the Thoroughfare Plan) and 19.15.06E (Transitions of Right-of-Way Width) of the El Paso Municipal Code.
- Cross-sections for Desert Pass do not comply as per Section 19.15.060A (Design Standards for Construction Met); 14 ft. medians required.
- Gem Street does not comply with Section 19.15.100B (Dead End Streets) as the proposed street exceeds the maximum length of a cul-de-sac street.
- The end of Gem Street must include a temporary turnaround bulb as per Section 19.15.100A (Dead End Streets).

The Department of Transportation has the following comments:

- Recommend pedestrian connectivity where original delineation of minor collect was shown on the MTP.
- Landscaping, vegetation, and irrigation system shall be provided within the proposed median on Desert Pass Street.
- Double frontage lots shall comply with Section 19.23.040 H (Double Frontage lots) of the El Paso Municipal Code.
- The proposed intersection of Desert Pass and Resler shall not be completed until developer installs the required traffic signal. Coordination of the design and installation shall be coordinated and approved by the Department of Transportation.

Notes:

- Access and improvements to Resler shall be coordinated with Texas Department of Transportation.
- All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

911 DISTRICT COMMENTS

No comments received.

CENTRAL APPRAISAL DISTRICT COMMENTS

No comments received.

EL PASO ELECTRIC COMPANY COMMENTS

No comments received.

EL PASO INDEPENDENT SCHOOL DISTRICT COMMENTS

No comments received.

TEXAS DEPARTMENT OF TRANSPORTATION COMMENTS

No comments received.

TEXAS GAS SERVICE COMMENTS

No comments received.

ADDITIONAL REQUIREMENTS AND GENERAL COMMENTS:

1. Prior to recording, please submit to Planning & Economic Development—Planning Division the following:
 - a. tax certificates
 - b. release of access document
 - c. set of restrictive covenants
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

Attachments

1. Location Map
2. Aerial Map
3. Preliminary Plat
4. Application

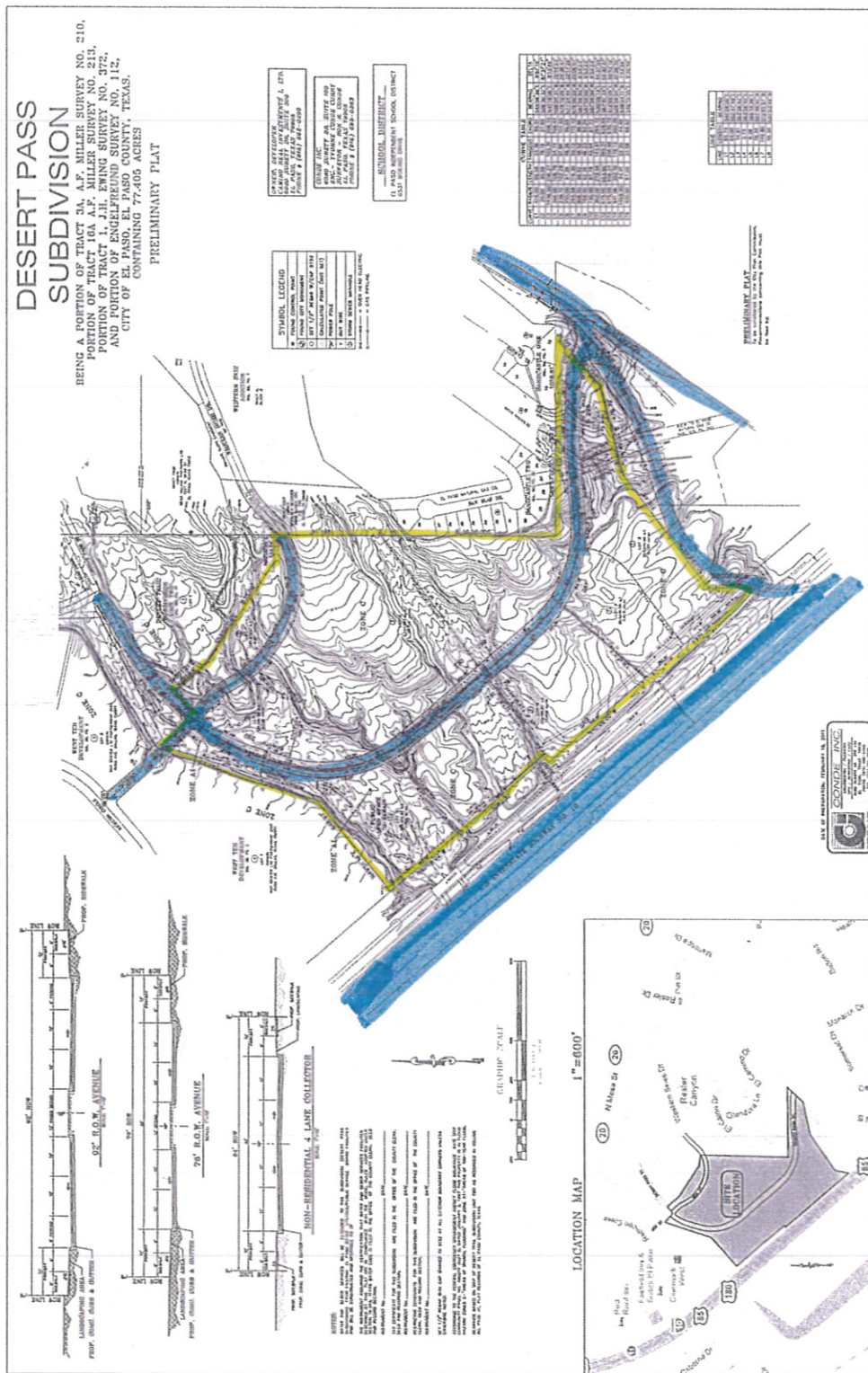
ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4



CITY PLAN COMMISSION APPLICATION FOR MAJOR SUBDIVISION PRELIMINARY APPROVAL



DATE: July 7, 2011

File No. SUSU11-00063

SUBDIVISION NAME: Desert Pass Drive Subdivision

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)
Being a portion of Tract 3A, A. F. Miller Survey No. 210, Portion of Tract 16A, A. F. Miller Survey No. 213, Portion of Tract 1, J. H. Ewing Survey No. 372, and a portion of Engelfreund Survey No. 112, City of El Paso, El Paso County, Texas
2. Proposed Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Office	<u>14.397</u>	<u>4</u>
Duplex	_____	_____	Street & Alley	<u>8.45</u>	<u>2</u>
Apartment	<u>25.405</u>	<u>1</u>	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	Open Space	<u>7.469</u>	<u>1</u>
School	_____	_____	Private Parks within Apts	<u>3.00</u>	<u>3</u>
Commercial	<u>18.683</u>	<u>2</u>	Total No. Sites	<u>13</u>	
Industrial	_____	_____	Total Acres (Gross)	<u>77.405</u>	
3. What is existing zoning of the above described property? C-3 Proposed zoning? n/a
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes _____ No _____ n/a _____
5. What type of utility easements are proposed? Underground _____ Overhead _____ Combination of Both X
6. What type of drainage is proposed? (If applicable, list more than one)
Lot to street to Ponds
7. Are special public improvements proposed in connection with the development? Yes _____ No X
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes _____ No X
If answer to is "Yes", please explain the nature of the modification or exception _____
9. Remarks and/or explanation of special circumstances: _____
10. Improvement Plans submitted? Yes _____ No X
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes _____ No X
If yes, please submit a vested rights petition in accordance with Section 19.47-Vested Rights (See Attached).

12. Owner of record Camino Real Investments I, LTD 6080 Surety Drive, Ste 300, El Paso, TX 79905 915-592-0290
(Name & Address) (Zip) (Phone)

13. Developer Camino Real Investments I, LTD 6080 Surety Drive, Ste 300, El Paso, TX 79905 915-592-0290
(Name & Address) (Zip) (Phone)

14. Engineer CONDE INC. 6080 Surety Drive, Ste 100, El Paso, TX 79905 915-592-0283
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION
FEE: \$1,901.00

Camino Real Investments I, LTD
By: Camino Real Properties, Inc.
It's General Partner

OWNER SIGNATURE: 

Douglas A. Schwartz, President

REPRESENTATIVE: 

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT
REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS



City of El Paso – City Plan Commission Staff Report

Case No: SUSU11-00080 Chaparral Park Unit Forty One Replat "A"
Application Type: Resubdivision Combination
CPC Hearing Date: September 22, 2011
Staff Planner: Justin Bass, 915-541-4930, bassjd@elpasotexas.gov
Location: East of Via Descanso and North of Ojo De Agua
Legal Description Acreage: 0.72 acre
Rep District: 1
Existing Use: Single Family Residence
Existing Zoning: R-3A(Residential)
Proposed Zoning: R-3A(Residential)
Nearest School: Lundy Elementary School (0.78 mile)
Nearest Park: Franklin Hills Park (0.87 mile)
Impact Fee Area: Not in Impact Fee Area
Property Owner: Gordon L. Sather
Applicant: Conde, Inc.
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: R-3A (Residential)/ Single-family Residential Development
South: R-3A (Residential)/ Single-family Residential Development
East: PMD (Planned Mountain Development)/ Open Space
West: R-3A (Residential)/ Single-family Residential Development

THE PLAN FOR EL PASO DESIGNATION: Residential.

APPLICATION DESCRIPTION

The applicant proposes to resubdivide the lot to eliminate a building encroachment within the private drainage and slope easement located along the southern boundary of the property.

This subdivision is located within the Hillside Development Area (HDA).

CASE HISTORY

Chaparral Park Unit Forty One was approved by the City Plan Commission on a Major Combination basis on September 18, 2003.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **pending** of Chaparral Park Unit Forty One Replat "A" on a **Resubdivision Combination** basis subject to the following conditions and requirements:

Planning Division Recommendation:

Pending.

Engineering & Construction Management - Land Development:

No comments received.

EPDOT:

No comments received.

Parks and Recreation Department:

No comments received.

El Paso Water Utilities:

No comments received.

Stormwater Division:

No comments received.

El Paso Fire Department:

No comments received.

911

No comments received.

Sun Metro:

No comments received.

El Paso Electric Company:

No comments received.

Texas Gas Company:

No comments received.

El Paso Independent School District:

No comments received.

Additional Requirements and General Comments:

1. Submit to the Planning & Economic Development Department – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

Attachments

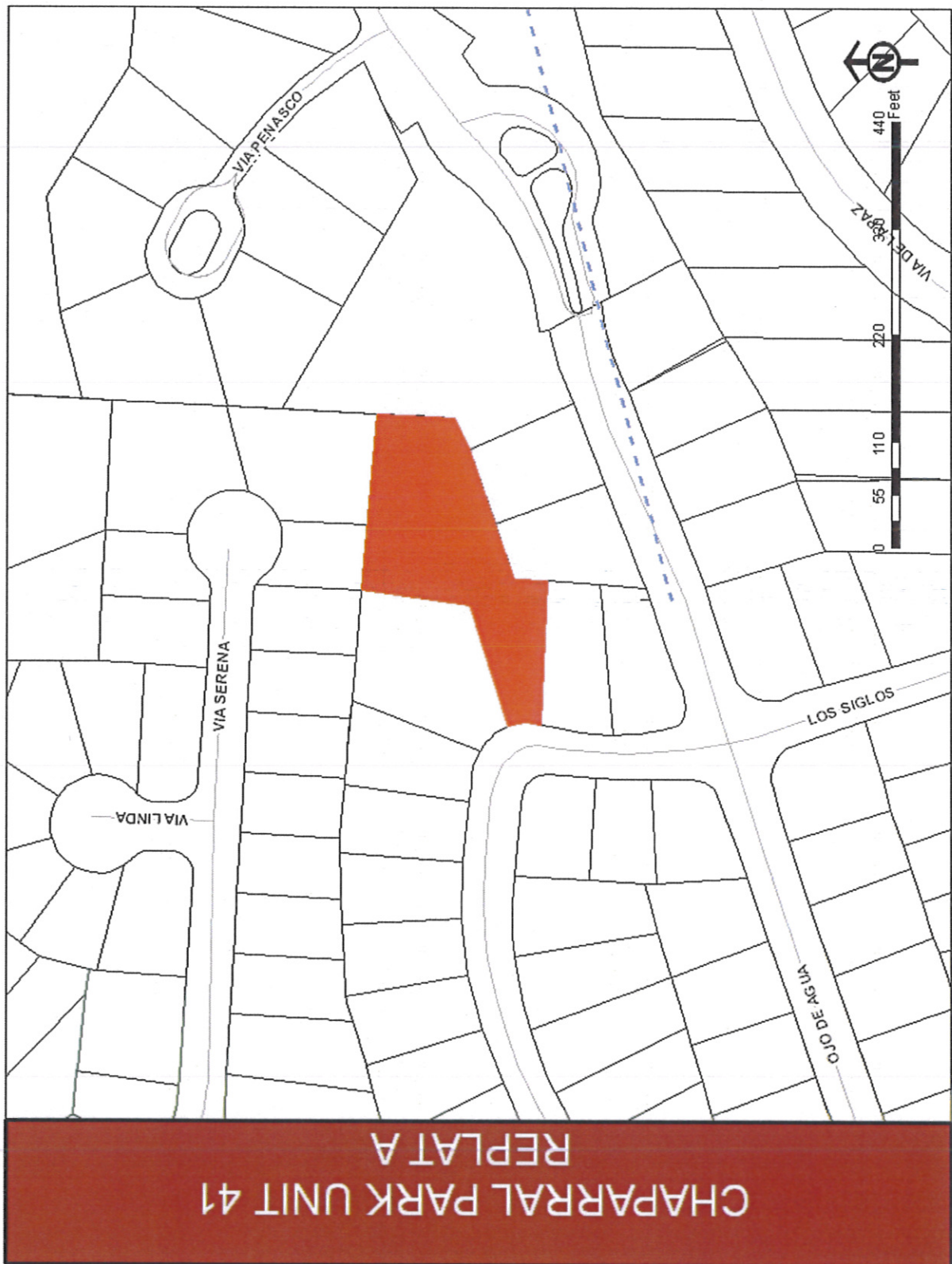
1. Location map zoomed out
2. Location map
3. Aerial map zoomed out
4. Aerial map
5. Arroyos map zoomed out
6. Arroyos map
7. Preliminary Plat
8. Final Plat
9. Application

DRAFT

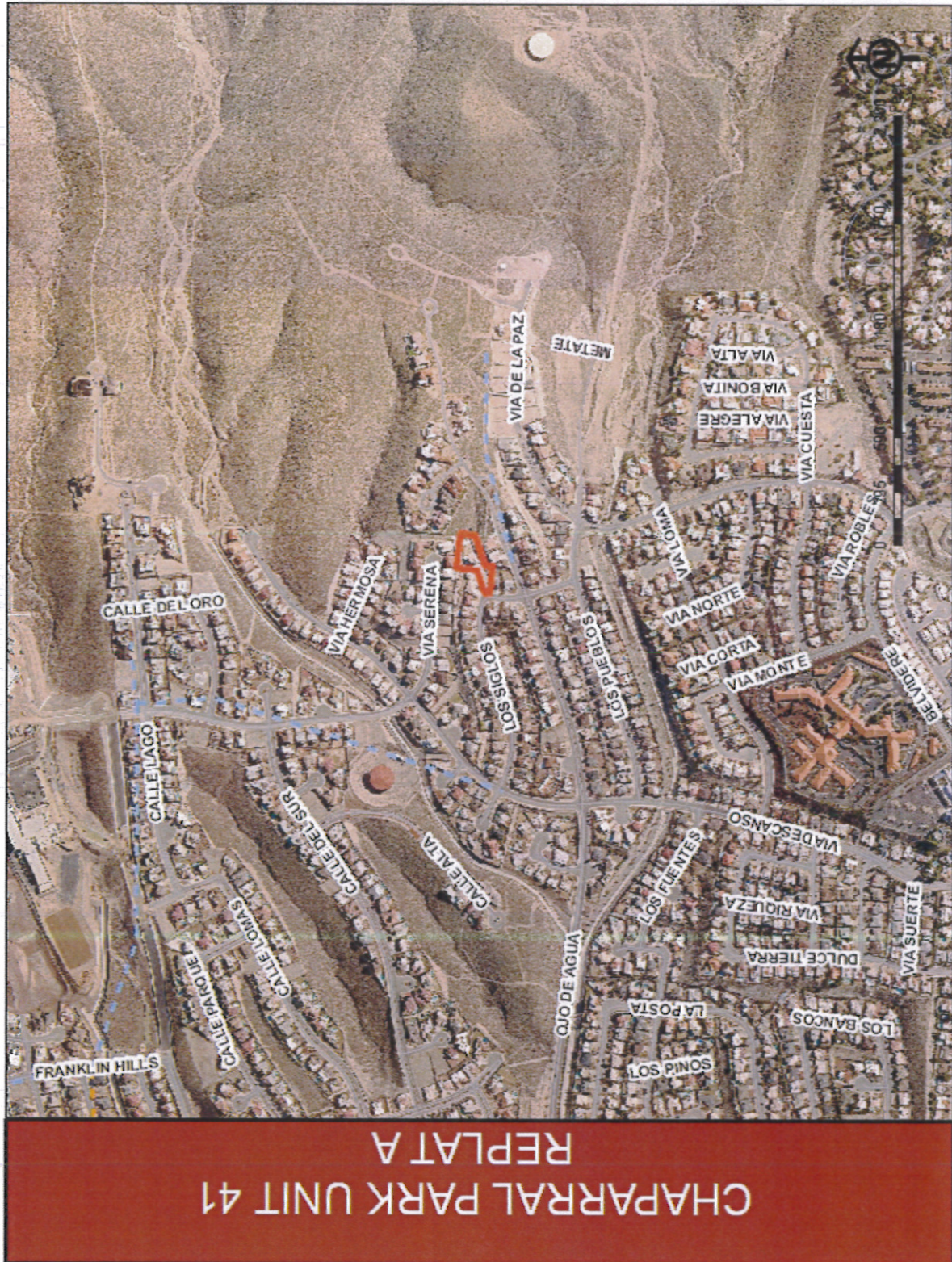
ATTACHMENT 1



ATTACHMENT 2



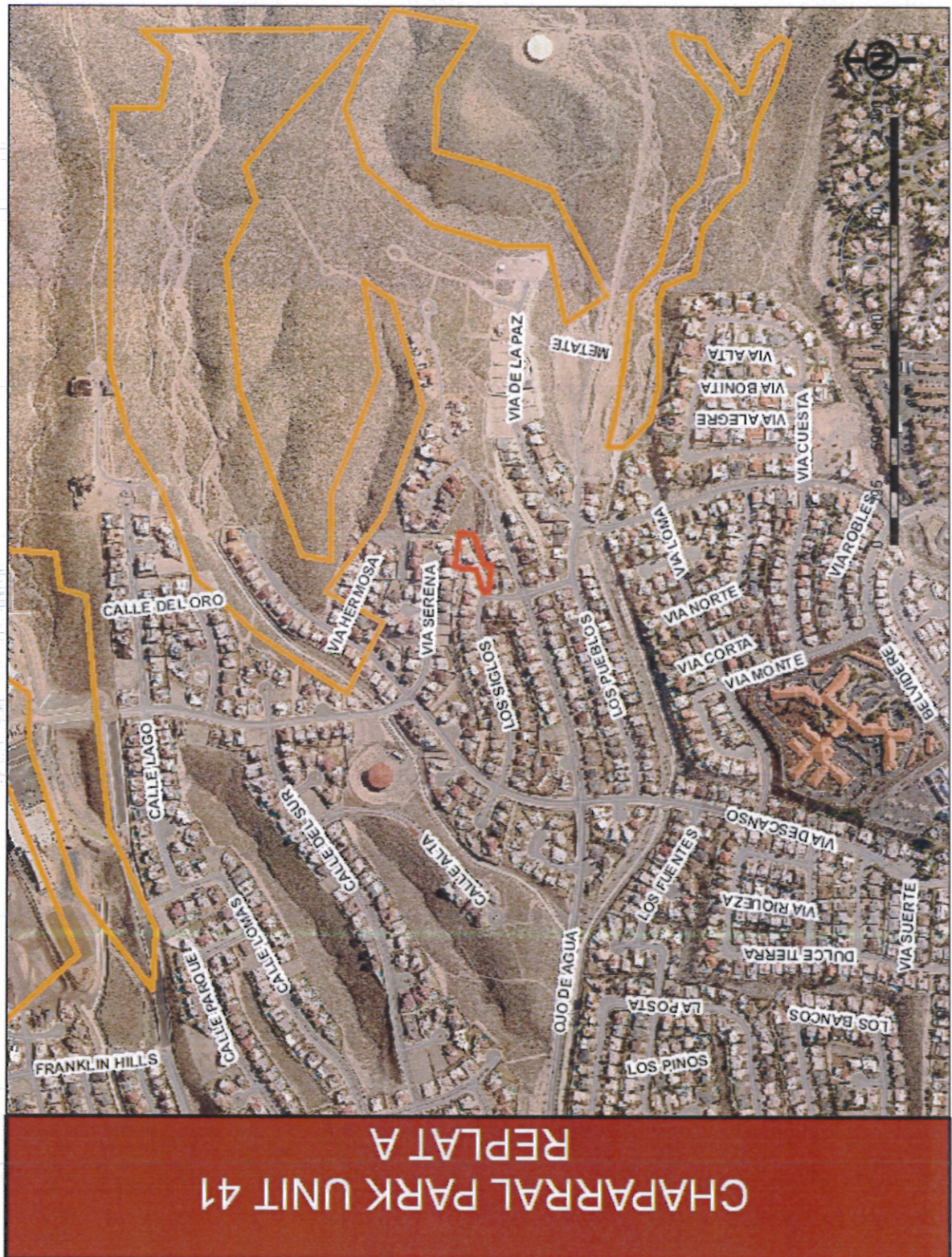
ATTACHMENT 3



ATTACHMENT 4



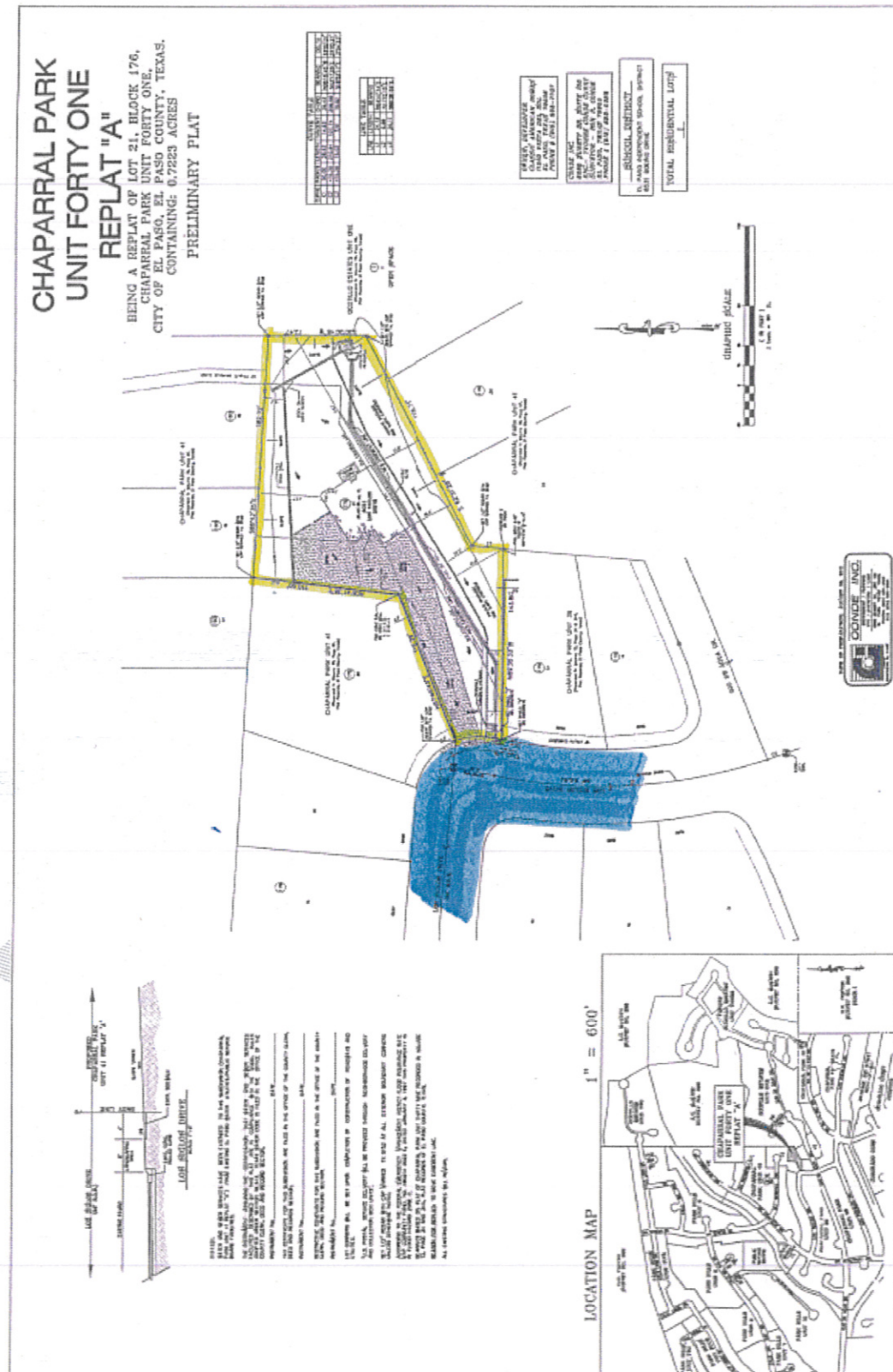
ATTACHMENT 5



ATTACHMENT 6



ATTACHMENT 7



ATTACHMENT 9



CITY PLAN COMMISSION APPLICATION FOR RESUBDIVISION COMBINATION APPROVAL

DATE: August 22, 2011

File No. SUSU11-00080

SUBDIVISION NAME: Chaparral Park Unit 41 Replat "A"

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)
Being a Replat of Lot 21, Block, 176, Chaparral Park Unit Forty One, City of El Paso, El Paso County, Texas
2. Proposed Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	<u>0.7223</u>	<u>1</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____		_____	_____
Commercial	_____	_____	Total No. Sites	<u>1</u>	_____
Industrial	_____	_____	Total Acres (Gross) & Sites	<u>0.7223</u>	_____
3. What is existing zoning of the above described property? R-3A Proposed zoning? n/a
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes X No _____
5. What type of utility easements are proposed? Underground _____ Overhead _____ Combination of Both X
6. What type of drainage is proposed? (If applicable, list more than one)

7. Are special public improvements proposed in connection with the development? Yes _____ No X
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes X No _____
If answer to is "Yes", please explain the nature of the modification or exception _____
9. Remarks and/or explanation of special circumstances: _____
10. Improvement Plans submitted? Yes C.H. No X
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes X No _____
If yes, please submit a vested rights petition in accordance with Section 19.47-Vested Rights (See Attached).

12.	Owner of record	Gordon L. Sather 6024 Los Siglos	El Paso, TX	79912	593-7707
		(Name & Address)		(Zip)	(Phone)
13.	Developer				
		(Name & Address)		(Zip)	(Phone)
14.	Engineer	CONDE INC.	6080 Surety Drive, Suite 100	79905	915-592-0283
		(Name & Address)		(Zip)	(Phone)

CASHIER'S VALIDATION
FEE: \$1,083.00

OWNER SIGNATURE: _____

Gordon L. Sather

REPRESENTATIVE: _____

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT
REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS

DRAFT